

P-407, 421/CP-86-526; P-407, 421/CP-87-219 ORDER CERTIFYING
POLLING RESULTS, GRANTING PETITIONS, AND REQUIRING FURTHER
FILINGS

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Marshall Johnson
Cynthia A. Kitlinski
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Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Petition of
Certain Subscribers in the
Lindstrom Exchange for Extended
Area Service to the
Minneapolis/St. Paul
Metropolitan Calling Area

ISSUE DATE: October 8, 1993

DOCKET NO. P-407, 421/CP-86-526

In the Matter of the Petition of
Certain Subscribers in the
Exchange of Delano for Extended
Area Service to the
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PROCEDURAL HISTORY

On June 26, 1990, the Commission issued its ORDER AFTER RECONSIDERATION OF JUNE 20, 1989 ORDER IN LIGHT OF MINNESOTA STATUTE § 237.161 (1990). In that Order the Commission found that the Lindstrom and Delano exchanges were adjacent to the Minneapolis/St. Paul Metropolitan Calling Area (the MCA), and that each petition therefore met the adjacency requirement of Minn. Stat. § 237.161. The Commission also found that the Lindstrom exchange sustained sufficient traffic with the MCA to fulfill the traffic volume criterion of the EAS statute.

On September 13, 1990, the Commission issued its ORDER REQUIRING COST STUDIES AND PROPOSED RATES AND ESTABLISHING A COMMENT PERIOD in the Delano docket. In that Order the Commission found that traffic between the Delano exchange and the MCA was sufficient to support the Delano EAS petition.

On April 10, 1992, the Commission issued its ORDER REQUIRING REVISED LOWER COST ALTERNATIVE PROPOSAL, COST STUDIES AND PROPOSED RATES. In that Order the Commission adopted rates for polling and combined the Lindstrom and Delano petitions under the above-captioned heading.

On February 25, 1993, the Commission issued its ORDER APPROVING LOWER COST ALTERNATIVE, COST STUDIES AND PROPOSED RATES FOR POLLING. In that Order the Commission approved revised cost studies and adopted final rates for polling.

Between June 30 and August 31, 1993, Delano and Lindstrom subscribers were informed of the proposed EAS rate additives and

were polled to determine if a majority in either exchange favored the installation of EAS to the MCA.

The Commission met on September 14, 1993 to consider the results of the polling.

FINDINGS AND CONCLUSIONS

Under Minn. Stat. § 237.161, the Commission shall grant a petition for the installation of EAS only if the following three criteria are met:

1. The petitioning exchange is contiguous to an exchange or local calling area to which extended area service is requested in the petition;
2. At least 50 percent of the customers in the petitioning exchange make one or more calls per month to the exchange or local calling area to which extended area service is requested, as determined by a traffic study;
3. Polling by the Commission shows that a majority of the customers responding to a poll in the petitioning exchange favor its installation, unless all parties and the Commission agree that no polling is necessary.

In this case, the Commission has previously determined that the petitions have fulfilled the first and second requirements of the EAS statute. The Commission must now determine if the third and final criterion has been fulfilled.

Approximately 77 percent of Delano subscribers and 72 percent of Lindstrom subscribers responded to the EAS poll. Of the Delano customers responding, 1,193 voted in favor of EAS and 663 voted against it. Of the Lindstrom customers responding, 2,385 voted in favor of EAS and 1,376 voted against it. In each exchange, therefore, a majority of those responding voted in favor of EAS. The Delano and Lindstrom petitions have fulfilled the third and final criterion for the implementation of EAS.

The Commission will certify the polling results and order the telephone companies serving the petitioning exchanges and the MCA to implement EAS between Delano and the MCA and Lindstrom and the MCA. GTE, the company serving Lindstrom and Delano, shall coordinate the implementation. Because the installation of EAS is a somewhat complicated and lengthy process, the Commission will require GTE to file an implementation schedule, with updates filed every 90 days.

The Commission will require the local exchange companies serving Delano, Lindstrom and the MCA to inform their customers of the polling results, EAS rate additives, and projected and actual implementation dates, and to provide information on the service. GTE must also include information on the lower priced alternative for its Delano and Lindstrom customers.

Any telephone company wishing to request recovery of non-recurring implementation expenses must file a proposal for the recovery at least 120 days before the scheduled implementation of EAS.

ORDER

1. The Commission certifies the polling results set forth in this Order.
2. The Delano/MCA and Lindstrom/MCA petitions are granted. EAS shall be implemented in these routes.
3. Within 60 days of the date of this Order, GTE shall file schedules for implementing EAS between Delano and the MCA and Lindstrom and the MCA. The schedules shall be updated every 90 days until installation is complete.
4. Any telephone company wishing to request recovery of non-recurring implementation expenses shall file a proposal for the recovery at least 120 days before the scheduled implementation of EAS. The Department of Public Service shall have 30 days from the aforementioned filing date in which to file responsive comments.
5. Within 10 days of the date of this Order, GTE, US WEST, Scott-Rice, Vista, Eckles and United shall submit to the Commission proposed notices of polling results, EAS rate additives, and the scheduled EAS implementation date. After receiving Commission Staff approval of the proposed notices, each of the aforementioned companies shall inform their customers in the petitioning exchanges and the MCA by including the notices in the earliest possible billing cycle.
6. At least 90 days before the implementation of EAS, GTE, Eckles, Scott-Rice, US WEST, United and Vista shall file with the Commission proposed notices, in the form of bill inserts, which shall include the following:
 - a. The actual start date for EAS;
 - b. A description of the service and instructions on dialing;
 - c. Additional rates to be paid;

For Delano and Lindstrom subscribers, GTE's proposed notice shall also include information on the lower priced alternative, clear instructions as to how the customer may subscribe to the lower priced alternative, and any deadline the customer must meet in order to have the lower priced alternative in place by the date of EAS implementation.

After receiving Commission Staff approval of the proposed notices, the companies shall include the bill inserts in the billing cycles that conclude at least one month before the implementation of EAS.

7. Thirty days before the implementation of EAS, GTE, Eckles, US WEST, Scott-Rice, Vista and United shall file tariff sheets reflecting prior Commission Orders which established the rates and terms for EAS in each of the exchanges affected by the installation of EAS.
8. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Susan Mackenzie
Acting Executive Secretary

(S E A L)